

# Walden Macht & Haran LLP

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August 9, 2018

**Via CM-ECF**

Honorable Valerie E. Caproni  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *United States v. Alain Kaloyeros, et al.*, No. S2 16 Cr. 776 (VEC) (S.D.N.Y.)

Dear Judge Caproni:

We represent Joseph Gerardi in the above-referenced matter. At the close of the government's case, the Court reserved decision on Mr. Gerardi's motion for a judgment of acquittal on all counts against him under Federal Rule of Criminal Procedure 29. Mr. Gerardi renews his motion for a judgment of acquittal for the reasons stated at the time, including that the government failed to prove the elements of the charged offenses beyond a reasonable doubt, and failed to establish venue in the Southern District of New York by a preponderance of the evidence. Mr. Gerardi also continues to adopt the arguments made by his co-defendants, to the extent they pertain to him.

Thank you for your attention to this matter.

Very truly yours,

WALDEN MACHT AND HARAN

By: */s/ Milton L. Williams*

Milton L. Williams  
Avni P. Patel  
Jacob Gardener

cc: all parties, via ECF